

## **Newstead Town Board Meeting- July 11, 2005**

A Regular Meeting was called to order by the Newstead Town Board on Monday, July 11, 2005 at the Newstead Town Hall at 8:00PM.

Present: Gerald F. Summe, Supervisor  
Tom George- Councilman  
Harold Finger- Councilman  
Mark Decker- Councilman  
Dale Kruschke- Highway Superintendent  
Andrew Casolini- Town Engineer  
Nathan Neill- Town Attorney  
Dawn D. Izydorczak- Town Clerk  
Kathleen McLeod Lang- Deputy Town Clerk

Roll Call was taken with all board members present except Councilman Chaffee who is in the hospital recovering from a fall. A moment of prayerful silence was observed for Councilman Chaffee.

Mr. Harrington led the pledge to the flag.

Minutes from the previous regular board meeting held on June 27, 2005 were presented for approval. A motion was made by Councilman George, seconded by Councilman Finger as presented.  
Carried

**Communications** – The Town Clerk presented the following:

A notification from the Erie County Department of Health announcing a health advisory for Hepatitis A. Four cases have been reported in Erie County between June 24 – June 29.

A letter from New York State DEC with comments regarding a driveway installation and water quality certification for 12455 Hunts Corners Rd.

A letter from the New York State Department of State acknowledging receipt of Local Law No. 2 of 2005, which was filed in their office on June 22, 2005.

A fax transmission from Amherst Central Alarm office reporting the June calls received for Akron Fire Co.- 41 and Newstead Fire Co.- 18. The semi-annual report was also received showing Akron Fire Co. with 227 calls and Newstead Fire Co. with 155 calls to date.

A letter from NYS Senator Mary Lou Rath was received thanking the Newstead Town Board for their resolution passed on June 13<sup>th</sup> supporting the proposed state sex offender's legislation.

Certificates of Completion were issued to Assessor Rebecca Baker for completion of classes in "Basic Use of the 12-C Calculator" and "G-1 Introduction to Income Property Valuation" thru the Cusack Center for Professional Development.

A motion was made by Councilman Decker, seconded by Councilman George to receive and file correspondence as presented.  
Carried

**Work Session:** Supervisor Summe reported that there was no work session was held last week due to the July 4<sup>th</sup> holiday.

**Privilege of the Floor** – No one spoke

**Approval of Bills** -Councilman Decker reported that the Abstract from Batch #414 & 415 from the June 27, 2005 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #416. Vouchers on these abstracts numbered #723-

770, totaling \$584,787.11 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch 416:

General Fund (A) -\$15,658.02, Fund (B) \$980.46, Highway (DA) -\$0, Highway: Outside Village (DB) \$5,565.13, Capital Projects: CAP-WD#10 (HI)- \$535,244.63, Town Hall (HK)- \$150.00, Highway Garage (HG)- \$0, Fire Protection (SF) \$2,347.68, Refuse (SR) \$21,299.82, Sewer Fund (SS) \$8.10, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$0, (SW2) \$88.44, (SW3) \$4.86, (SW4) \$112.56, (SW5) \$2,426.93, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$0, Trust & Agency(TA)- \$0 Totaling \$584,787.11.

Carried

### **COMMITTEE AND DEPARTMENT HEAD REPORTS**

**Highway** – Work on 2 major drainage projects is underway. He is addressing some residents concerns. Culvert work is also being done on Stage and Ayers Roads at this time.

**Assessor** –not present

**Building Office** –the following building report was presented by the Building Administrator Christine Falkowski:

Robert Nagel	7871 Maple	Barn
Niagara Specialty	Hake Road	Addition
Dale Fryling	13543 Stage	Pole Barn
Michael Borowczyk	13404 Stage	Platform/stairs
Millard Young	12260 McNeeley	Single family home
Dave & Maryellen Brucker	7758 Greenbush	Storage Building
Adam & Jill Maloney	13424 Stage	Porch
Millard Young	12260 McNeeley	Pipe permit
Timothy Martin	4594 Ayers	Pipe permit

A motion was made by Councilman Decker, seconded by Councilman Finger to accept and approve the Building Report as presented.

Carried

**Town Clerk**- In process of closing out 2005 County/Town tax collection and return unpaid taxes to the County offices for collection.

**Attorney for the Town** –Nothing at this time

### **COUNCILPERSONS**

**Chaffee**- Not present

**George**-Nothing at this time

**Finger**-Nothing at this time

**Decker**-He is requesting an updated zoning report for next meeting

**SUPERVISOR**- Auditors Report is on file with the Town Clerk. GASB has changed the reporting standards for municipalities. The town received a glowing report for 2004. Councilman Decker questioned if there will be a new separate fund for the drainage district next year? The Supervisor answered yes. Councilman Decker also questioned Page 6 regarding the current assets to liabilities ratio. What was it in the past? The Supervisor will get those numbers to the Board. The Supervisor explained that under GASB, municipalities are now accountable more like a business would be. There are more dollars that are now separately accounted for, which better illustrate a town's financial position.

**UNFINISHED BUSINESS**

**Water District #10/Water Tank**-They are continuing work on Maple Road and spreading out to Carney Rd, Swift Mills Rd, and Scotland Rd. The proximity of hydrants to roadside has been questioned. It is largely due to the curve of the roads and the width of the right-of-way. The concrete work and tank erection are on schedule for the Water Tank project.

**Town Hall Project: Handicapped Accessible Entrance**- Project almost complete with the heater on order and signage in progress. The Grant has been applied for.

**Route 5 Zoning**-They are working on a manual and power point presentation.

**Plumber’s License**-work continuing

**Shared Public Works Facility Committee**-Work Session with Village Board tonight to make final changes to proposal for feasibility study.

**NEW BUSINESS:**

**Approval: Town Refuse Contract Assignment:**

A motion by Councilman George, seconded by Councilman Finger approving the assignment and assumption of the Town of Newstead refuse contract with BFI to Allied Waste Services of North America, LLC (formerly known as BFI) for collection and disposal.

(Resolution Attached)            Ayes-4            Nays-0            Carried

**Facility Use Agreement: 57 John St. Property:**

A motion by Councilman Decker, seconded by Councilman George to authorize Supervisor Summe to sign a Facility Use Agreement with the First United Methodist Church of Akron for the cost of \$1.00, which will enable the church to use the property at 57 John Street prior to its final sale closing.

   Ayes-4            Nays-0            Carried

**Easement for Tower Site:**

A motion was made by Councilman Finger, seconded by Councilman Decker authorizing the Supervisor to sign the easement with Verizon New York, Inc. and Niagara Mohawk for the cellular tower site to be located on the Town’s Buell Street property.

   Ayes-4            Nays-0            Carried

**Lateral Restriction Application: 11110 Keller Rd**

A motion was made by Councilman Finger, seconded by Councilman Decker approving the lateral restriction exception application for the Adams residence located at 11110 Keller Rd.

   Ayes-3            Nays-1            Carried

**Municipal Workers to Continue to contribute to their Pensions**

A motion by Councilman Finger, seconded by Councilman George approving a resolution supporting the requirement of all municipal workers to continue to contribute to their pensions for their entire career. A copy of the resolution is to be sent to County and State leaders.

(Resolution Attached)            Ayes-4            Nays-0            Carried

**Question Period**-No one spoke

There being no further business to come before the board a motion was made by Councilman Finger, seconded by Councilman George to adjourn the meeting at 8:28 PM.

Carried

Respectfully Submitted,  
Dawn D. Izydorczak, Town Clerk